

**REGULAR MEETING OF THE
BRIGHAM CITY COUNCIL
AUGUST 6, 2009**

PRESENT:	Lou Ann Christensen	Mayor
	Scott Ericson	Councilmember
	Reese Jensen	Councilmember
	Ruth Jensen	Councilmember
	Bob Marabella	Councilmember
ALSO PRESENT:	Mark Bradley	City Planner
	Jim Buchanan	Emergency Services Director
	Mary Kate Christensen	City Recorder
	Blake Fannesbeck	Public Works Director
	Jared Johnson	Community Development Manager
	Bruce Leonard	City Administrator
	Tyler Pugsley	Public Works Assistant Director
	Jason Roberts	Finance Director
EXCUSED:	Bruce Christensen	Councilmember

Mayor Christensen called the meeting to order. The Reverence Period was given by Councilmember Ericson. The scouts in the audience led the Pledge of Allegiance. Mayor Christensen excused Councilmember Christensen who was out of town. Mayor Christensen presented the agenda as follows:

PUBLIC COMMENT

CONSENT

New Hire, Emergency Management Department

NEW BUSINESS

Presentation of Well Siting Study

Request for Approval of Ordinance Regulating Surplus Property

PLANNING COMMISSION BUSINESS

Agreement to Release Escrow Agreement for Maple Creek PUD

Amendment to General Plan Map to Modify the Land Use Designation for Areas in the General Vicinity of 1000 West/1000 South and 900 North (Hwy 13/I-15 Interchange)

MAKING LIFE BETTER - DEPARTMENT REPORTS

CLAIMS

Payment Register

Councilmember Reese Jensen made a motion to approve the agenda as amended. The motion was seconded and carried unanimously.

PUBLIC COMMENT

There were no comments from the public.

CONSENT

New Hire, Emergency Management Department

It was recommended the Council approve the hire of Britney Stettler as a Secretary III in the EMS Department.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Ericson, seconded by Councilmember Reese Jensen and unanimously carried.

NEW BUSINESS

Presentation of Well Siting Study

Mr. Tyler Pugsley reported that there are three new wells planned in the next year. A well siting study was done by Hansen, Allen & Luce. They looked at both valley and mountain aquifers. It was discovered that the best quality drinking water is found in the foothills of Brigham City.

The first well site that was chosen is above Kotter Canyon. This is their first priority for several reasons. One is because the City does not have any well sources located on the north end of the distribution system. They also found another site south of the Kotter Canyon site that will produce the same quality water. The last site is the Flat Bottom Canyon well. The bore hole has already been dug for this and state approval has been received.

There are multiple other sources that could be developed in the future with some of the City's banked water rights.

These wells will be used mostly in the summer months during high water usage.

Mr. Fonnesbeck added that these projects will be paid with Proctor and Gamble funds through the Water Resources Board. This is P&G's investment to replace the two million gallon surplus the City is selling to them.

Request for Approval of Ordinance Regulating Surplus Property

Mr. Kirk Morgan came forward and explained that in order to surplus property, each City has to have their own ordinance which defines the City's policy for disposal of surplus property. The City must define what is a significant piece of property and a non-significant piece of property. It also has to define what is a reasonable public notice if it is going to be disposed of.

The ordinance states that the City Council may declare property to be surplus if it is a significant parcel of property. If it is a non-significant parcel the City Administrator may declare it as surplus.

The ordinance defines significant parcel of real property as property that is larger than 5,000 square feet or that has a fair market value in excess of \$20,000. A non-significant parcel of property is defined as property that is not defined as a significant parcel.

MOTION: Councilmember Marabella made a motion to approve the ordinance regulating surplus property, seconded by Councilmember Reese Jensen and unanimously carried.

PLANNING COMMISSION BUSINESS

Agreement to Release Escrow Agreement for Maple Creek PUD

Mr. Bradley stated that Randy Deem has requested release of their escrow agreement for Maple Creek PUD located at 464 and 468 North 100 East. They would like to use the money to use toward another project and then come back when the economy is better and develop the site. It is a ten-unit project. The agreement states that no work is to commence until a new financial guarantee is in place with the City. There is also a time frame for this to take place. If it does not, the agreement states that the applicant is mandated to request a vacation of the plat.

MOTION: Councilmember Marabella made a motion to approve the agreement to release the escrow agreement for Maple Creek PUD. The motion was seconded by Councilmember Reese Jensen and carried unanimously.

Amendment to General Plan Map to Modify the Land Use Designation for Areas in the General Vicinity of 1000 West/1000 South and 900 North (Hwy 13/I-15 Interchange)

Mr. Bradley reported that in May the Planning Commission looked at the General Plan map and identified various areas they proposed for changes.

Mr. Bradley indicated on a map the three areas the Planning Commission recommended for amendment. Two of the areas are in the vicinity of Highway 13 and I-15. It is currently zoned General Commercial and Manufacturing/Industrial. The Planning Commission recommended this area be expanded to include the areas included in the City's Annexation Policy Plan. Councilmember Ericson questioned why the area north of Highway 13 and east of I-15 is zoned Manufacturing. He felt it would be a great place for a restaurant or convenience store. Mr. Bradley said the Planning Commission talked about this. They left it Manufacturing because that was how it was advertised for the public hearing. Mr. Fonnesebeck added that the area north of the equipment dealer which was purchased with FAA funds has to have some sort of aeronautical relationship.

The second area is in the vicinity of 1000 West/1000 South which is currently zoned General Commercial. The Planning Commission recommended this be amended to include the property for Upland Square and expand the General Commercial zoning. In addition, this amendment expands the Medium Density Residential zone.

Mr. Bradley said during the staff review, staff had a concern with the alignment of the road recommended by the Planning Commission. Staff recommended the road alignment remain as currently adopted.

MOTION: A motion to approve the amendment to the General Plan Map to modify the land use designation for areas in the general vicinity of 1000 West/1000 South and 900 North based on staff's recommendations was made by Councilmember Reese Jensen, seconded by Councilmember Ericson and unanimously carried.

MAKING LIFE BETTER - DEPARTMENT REPORTS

Mr. Buchanan came forward and reported that the City was awarded \$650,000 for a seismic upgrade to the library. They have prepared all the documentation and the design work has been done. FEMA came and did a site inspection and has approved the project. They met with the architects and they are developing the qualifications for bidders. After they select the contractor he will return to the Council and ask for approval to expend the funds. The Carnegie portion of the library will have to be shut off during the construction. They will do several things to notify the public of this closure. He also reported that he was notified that the project has been nominated to National Headquarters for a mitigation award.

Mr. Buchanan announced that he received notification that the City was awarded a \$250,000 mitigation grant for seismic upgrade to the Senior Center.

Mr. Buchanan stated that he also received a \$25,000 trailer from the American Red Cross through a donation from Wal-Mart and Sam's Club. The trailer includes 200 cots, 400 blankets, 200 personal hygiene kits and two nurses' kits. This will be stored in Brigham City to be used in case a shelter is needed.

CLAIMS

Payment Register

Councilmember Ruth Jensen made a motion to improve General Claims dated August 4, 2009 in the amount of \$628,969.86. The motion was seconded and carried.

A motion to close to a Redevelopment Agency Executive Session was made by Councilmember Reese Jensen. All councilmembers voted aye. The meeting adjourned at 7:55 p.m. The Council returned to an open meeting at 9:06 p.m. and adjourned.